



than original preference.

125 CHAIR BRYANT: Addition to bill is the addition of local bar presidents as members of the House of Delegates.

130 SEN. SORENSON: Questions representative nature of annual meeting - difficult to get attendance from across the state.  
- Think about empowering the board of governors with the decision making  
- Would like some rationale behind creating a larger body

142 GLEAVES: Very active organization - 10,000 members  
- Representative body large enough to reflect views, yet have a workable organization  
- Preserve right of every bar member to speak - not all have right to vote

180 SEN. SORENSON: Any expenditure of public money.

187 OSBORN: Funds come from bar dues

200 SEN. BAKER: Questions formula used for selection process.

GLEAVES: One bar official from each county bar

223 BILL TAYLOR: Asked Mr. Olson to confirm that amendments labeled SB -1 is a proposal to amend SB 229 into SB 300.

225 OLSON: Right

230 CHAIR BRYANT: This will be put into one bill to eliminate the need for a conflict amendment later.

CLOSES PUBLIC HEARING on SB 299 & 300  
OPENS WORK SESSION on SB 299 & 300

250 MOTION: SEN. BAKER: Moves to ADOPT the SB 300-1 amendments [EXHIBIT B] to amend SB 300 to include SB 299.

VOTE: CHAIR BRYANT: Hearing no objection the amendments are ADOPTED.  
All members present except SEN. MILLER, EXCUSED.

261 BILL TAYLOR: At the Chair's request, read language from section 2, subsection 4 of the 256 engrossed version of the bill. [EXHIBIT A]  
- Language from last year/does not know where the other language is as far as the House making its own rules.

279 MOTION: SEN. SPRINGER: Moves to SPECIFICALLY ADOPT language read from section 2, subsection 4 of the engrossed version of SB 256 from 1993 session and CONCEPTUALLY ADOPT the language dealing with making the rules and be included in SB 300.

VOTE: CHAIR BRYANT: Hearing no objection the language is ADOPTED.  
SEN. MILLER IS EXCUSED.

MOTION: SEN. SPRINGER: Moves that SB 300, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

VOTE: CHAIR BRYANT: Hearing no objection, the motion CARRIES. SEN. MILLER IS EXCUSED.

CHAIR BRYANT will lead discussion on the Floor.

Additional testimony submitted for the record [EXHIBIT J] - Oregon State Bar  
CLOSES WORK SESSION ON SB 299 & 300

307 OPENS PUBLIC HEARING ON SB 217

Witnesses: John Ellis, Department of Justice  
Rosemary Adamski, mother of Rebecca, private citizen  
Chuck Seeley, private citizen  
Richard Koenig

334 JOHN ELLIS, Department of Justice: Presents his testimony in favor of SB 217. [EXHIBIT C] Creates a Child Support Revolving Fund in the Treasury.

- State unable to tell the government how much it earned on child support payments.  
- Costs State considerable amounts of money  
- Treasury Department has no problem with this bill

355 SEN. BAKER: Only funds that go into the Treasury?

358 ELLIS: Child support in Oregon is paid two ways:  
- Either to the obligee/ paid to DHR

427 ELLIS: Continues his testimony.

431 SEN. SORENSON: Why is there duplication in this?

435: ELLIS: Issue will be addressed in SB 216.

TAPE 30, SIDE A

49 ELLIS: Continues testimony

86 ROSEMARY ADAMSKI, mother of Rebecca Anweeta: [No Exhibit] Presents testimony in favor of SB 217. Urges committee's support in SB 217 - isn't just about money, but about parenting. Wants the creation of a less adversarial roll between the state and the parents.

94 CHAIR BRYANT: Reminds that SB 217 deals only with the revolving fund and interest; not the child support system and the collection.

118 RICHARD KOENIG: Presents his testimony in opposition to SB 217. [No Exhibit]  
- Concerned about the unreimbursed public use of private resources proposed.

120 CHAIR BRYANT: Understand concerns, but probably better addressed on a bill dealing with the collections and applications.

159 KOENIG: Directs comments to Section 2 of bill  
- Equity issue

170 CLARK SEELEY: Presents his testimony in opposition to SB 217. [No Exhibit]  
- Concerned as history has shown, government doesn't always use trust funds

in the way it was started.  
- Social Security  
- State lottery  
- Concerned about the growth of power that the state is gaining over people's lives. Wants very strict controls.

201 CHAIR BRYANT: Assures there are limits on how the money is spent.

207 SEN. HAMBY: Unless bill is passed, your dollars are going into the general fund  
- Segregates from general fund

213 KOENIG: Where does general fund deposit and what had the interest rate been over time?

233 CHAIR BRYANT: Department of the treasury can answer your question.

CLOSES PUBLIC HEARING ON SB 217  
OPENS WORK SESSION ON SB 217

MOTION: SEN. BAKER: Moves SB 217 be sent to the Floor with a DO PASS recommendation.

VOTE: CHAIR BRYANT: Hearing no objection the motion CARRIES. All members present except SEN. MILLER, EXCUSED.

SEN. BAKER will lead discussion on the Floor.

244 OPENS PUBLIC HEARING ON SB 212

Witnesses: John Ellis, Department of Justice  
Layne Barlow, Oregon Co-Parents  
Ed Patterson, Oregon Association of Hospitals

251 JOHN ELLIS, Department of Justice: Presents testimony in favor of SB 212. [EXHIBIT F]  
- Very complicated bill. More interest in bill than previously thought.  
- Would like to disengage; meet with interested parties, and return at a later date with consensus.

263 LAYNE BARLOW, Oregon Co-Parents: Presents written testimony in favor of SB 212. [EXHIBIT D].  
- Leaves copies of testimony.

ED PATTERSON, Oregon Association of Hospitals: Will return to testify when bill is rescheduled. [No Exhibit]

Also submitted for the record: Testimony by Russell Lipetzky on behalf of the Family and Juvenile Law Section of the Oregon State Bar in opposition to SB 212. [EXHIBIT K]

CLOSES PUBLIC HEARING ON SB 212

OPENS PUBLIC HEARING ON SB 213

Witnesses: John Ellis, Department of Justice  
Carl Stecker, Oregon District Attorney's Association  
Karen Berkowitz, Legal Aid  
Rosemary Adamski  
Larry Redler

236 JOHN ELLIS, Department of Justice: Presents testimony in favor of SB 213. Makes reference to written testimony [EXHIBIT E] and two sets of proposed amendments -1 [EXHIBIT F] and -2 [EXHIBIT G]  
- '93 session, because of time restraints, Legislative Assembly didn't achieve the effect intended by Section 1 of SB 213. DOJ is raising the issue again to make clear that a child support income withholding order under ORS chapter 25 will not reach money owed to an independent contractor. - -  
- Explains each section of bill - -  
- Offers amendments which will simply provide procedures necessary to implement the Uniform Interstate Family Support Act. Also repeal most of the prior law regarding interstate child support actions.

361 ELLIS: Continues his testimony [EXHIBIT E]

391 ELLIS: Continues his testimony [EXHIBITS F & G]  
-2 Amendments  
- repeals the current Uniform Reciprocal Enforcement of Support Act  
- makes necessary reference changes throughout the code to the new law  
[EXHIBIT G]  
-1 Amendments  
- Referenced Section 11 of -1 Amendments [EXHIBIT F]  
- The rest of the Oregon Family Domestic Relations Code is available to  
implement the concept codified in UIFSA.

TAPE 29, SIDE B

6 ELLIS: Continues testimony on Amendments [EXHIBITS F & G]  
- -1 and -2 amendments are attempts to implement UIFSA  
- Will be new system for interstate cooperation on child support

24 CARL STECKER, Deputy District Attorney in Marion County, Administrator  
for Marion County Child Support Enforcement Program: Presents testimony in  
favor of SB 213 with Amendments. [EXHIBIT I]

36 STECKER: Collects predominately against the self employed.  
- Opposed to exemption of independent contractors.  
- Offers amendment [EXHIBIT I] page 2.

100 STECKER: Continues testimony -

158 SEN. SORENSON: Is the 25% off of the net income of a wage earner ?

177 ELLIS: Have these cases now - we sit down and negotiate the issue

210 KAREN BERKOWITZ, Legal Aid: Presents testimony on behalf of the Family

Law Task Force of Oregon's Legal Services Program in favor of SB 213 with  
several clarifications and amendments - [EXHIBIT H].  
- Represents low income clients in child support cases in the State.  
- Would support comments of Stecker  
- Requests amendments to SB 213  
[EXHIBIT H , attachments 25.020(6) and ORS 25.724]

282 ELLIS: States that he omitted something from his testimony -

305 BERKOWITZ: Continues testimony - [EXHIBIT H]

374 BERKOWITZ/BRYANT: Discussion regarding number of hearings relating to

- - -

TAPE 30, SIDE B

40 BERKOWITZ: Continues testimony - [EXHIBIT H]

102 LARRY REDLER: Concerned citizen - will send written testimony at later  
date.  
- Victim of system  
- Finally had to file bankruptcy/ on welfare

152 CHAIR BRYANT: Amendment proposed by Berkowitz would remedy that  
situation

CLOSES PUBLIC HEARING ON SB 213

OPENS WORK SESSION ON SB 213

230 CHAIR BRYANT: Calls for motion - -1 and -2 not complicated

MOTION: SENATOR HAMBY: Moves to ADOPT the SB 213-1 amendments as shown in  
[EXHIBIT F]

VOTE: CHAIR BRYANT: Hearing no objection the -1 Amendments are ADOPTED.  
All members are present.

MOTION: SENATOR HAMBY: Moves to ADOPT the SB 213-2 amendments as shown in  
[EXHIBIT G]

VOTE: CHAIR BRYANT: Hearing no objection, the -2 Amendments are ADOPTED.  
All members are present.

239 CHAIR BRYANT: Recommends amendments as outlines in K. Berkowitz  
testimony [EXHIBIT H].

260 ELLIS: Department has no problem with any of Ms. Berkowitz's amendments  
with the exception of amendment #1. Will accept amendment #2 as outlined .  
[EXHIBIT H].

265 CHAIR BRYANT: Will summarize remaining amendments that have not been  
numbered in testimony.  
- Paragraph (8) (page 3, line 26) substitute the word "SHALL" for "MAY."  
---- - Line 23, change wording from "8, 9" to "8, 9 & 10."  
- Page 3 added to Section 2, a new paragraph 10 which reads as follows -  
"Nothing in this section shall preclude the Department from giving credit  
for payments not made to the Department when there has been a judicially  
determined credit or satisfaction, or when there has been a satisfaction

of support executed by the person to whom support is owed."  
- Line 44, changing the cite from "ORS 183.413" to "183.470."  
- Add to the end of paragraph (9): "Any party may seek a hearing de novo in  
Circuit Court,"

MOTION: SENATOR BAKER: Moves the ADOPTION of amendments summarized by  
Chair Bryant and shown in [EXHIBIT H].

VOTE: CHAIR BRYANT: Hearing no objection the amendments as stated are  
ADOPTED. All members are present.

280 CHAIR BRYANT: Next amendment allows for an administrative hearing.

283 ELLIS: Department opposes this amendment  
- work load issue  
- For The Record - if cases aren't solved, parties have recourse to the  
court

297 CHAIR BRYANT: Amendment #2 [EXHIBIT H, page 3]  
- Suggests that Mr. Ellis go back for estimate of case numbers and costs.  
- Chair would prefer not to amend bill to include this amendment.

308 SEN. SORENSON: Opportunity for creativity  
- Likes idea of pursuing a way to resolve these support matters without the  
kinds of costs involved.  
- Wants to enact this amendment, would also like additional information.

340 SEN. SPRINGER: Agrees with Sen. Sorenson's comments.

347 ELLIS: Have just adopted a grievance procedure - it is a formal process  
for considering grievances. These problems would fall within this  
procedure.  
- Not a substitute for the Senators' concerns on these types of cases.

379 CHAIR BRYANT: Points well taken. Asked for copy of subject rule.

CLOSES WORK SESSION ON SB 213 Reschedule when additional information is  
received.

REOPENS WORK SESSION ON SB 213

400 CHAIR BRYANT: Amendment offered by Carl R. Stecker [EXHIBIT I] Page 2  
of testimony.

MOTION: SENATOR BAKER: Moves to ADOPT the deletion and addition of  
language provided in [EXHIBIT I, page 2] which amends SB 213.

430 BILL TAYLOR, COUNSEL: Has some concerns about the second sentence with  
regard to IV-D director.

445 ELLIS: IV-D refers to title IV-D of the Social Security Act which is  
shorthand for the state and federal partnership in child support programs.

VOTE: CHAIR BRYANT: Hearing no objection, the amendment is ADOPTED. All  
members are present.

CLOSES WORK SESSION ON SB 213

CHAIR BRYANT: Adjourns committed at 4:45 p.m.

Submitted by:

Reviewed by:

Julie Clemente  
Committee Assistant

Bill Taylor  
Committee Administrator/Counsel

EXHIBIT LOG

A -- A-Engrossed SB 256 - Bob Olson - 8 pages  
B -- Proposed Amendments to SB 300 -- John Ellis -- 12 pages  
C -- Testimony in favor of SB 217 -- John Ellis-- 1 page  
D -- Testimony in favor of SB 212 -- Layne Barlow -- 2 pages  
E -- Testimony in favor on SB 213 -- John Ellis -- 3 pages  
F -- Proposed amendments to Senate Bill 213 -- John Ellis -- 5 pages  
G -- Proposed Amendments to SB 213 -- John Ellis -- 21 pages  
H -- Testimony in favor of SB 213 -- Karen A. Berkowitz -- 6 pages  
I -- Testimony/Proposed Amendments SB 213 -- Carl Stecker -- 2 pages  
J -- State Bar Organizational Changes (LC 1307) -- 4 pages  
K -- Testimony in opposition to SB 212 -- Russell Lipetzky -- 2 pages